

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

MARISSA STARK,

Plaintiff,

v.

**COMMISSIONER OF THE SOCIAL
SECURITY ADMINISTRATION,**

Defendant.

Case No. 19-CV-439-JFH-KEW

ORDER

Before the Court is the Findings and Recommendation [Dkt. No. 20] of United States Magistrate Judge Kimberly E. West reviewing the Stipulated Motion for Attorney Fees to the Equal Access to Justice Act [Dkt. No. 18]. Magistrate Judge West recommends the Motion be granted. Dkt. No. 20.

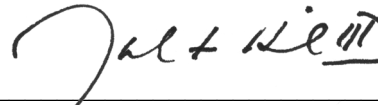
Neither party objected to Magistrate Judge West's Findings and Recommendation within the 14-day period prescribed by 28 U.S.C. § 636(b)(1)(C) and Federal Rule of Civil Procedure 72(b). Having reviewed the Findings and Recommendation, the Court concurs with Magistrate Judge West's recommendation, and accepts and adopts it as the order of the Court. On that basis, the Court finds that the Stipulated Motion for Attorney Fees to the Equal Access to Justice Act [Dkt. No. 18] is **GRANTED**.

IT IS THEREFORE ORDERED that the Government shall pay Plaintiff's attorney's fees in the amount of \$5,500.00 and costs in the amount of \$400.00.

IT IS FURTHER ORDERED that the award shall be made to Plaintiff as the prevailing party and not directly to Plaintiff's counsel. Further, should Plaintiff's counsel ultimately be

awarded attorney's fees pursuant to 42 U.S.C. § 406(b)(1), counsel shall refund the smaller amount to Plaintiff.

DATED this 17th day of June, 2021.

A handwritten signature in black ink, appearing to read "John F. Heil, III", written in a cursive style.

JOHN F. HEIL, III
UNITED STATES DISTRICT JUDGE